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Dawn Oleszak
Dawn Oleszak

November 8, 2005
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Examiner: Anil Khatri

Larsson et al

Group Art Unit: 2193

Serial No.: 09/893,798

Filed: June 28, 2001

Patent No. 6,948,157

Issued: September 20, 2005

For: *Interpreter For Executing Computer Programs And Method
For Collecting Statistics*

**REQUEST FOR EXCUSING ERROR IN THE CLAIMING
OF SMALL ENTITY STATUS**

Adjustment date: 11/14/2005 SLUANG1
07/05/2001 WABRHAH1 00000008 501170 09893798
02 FC:203 -180.00 OP
03 FC:202 40.00 CR -40.00 OP

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Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Adjustment date: 11/14/2005 SLUANG1
04/01/2005 CBARNE1 00000016 501170 09893798
01 FC:2252 225.00 CR

11/14/2005 SLUANG2 00000005 09893798
01 FC:1501 1400.00 OP

Applicant had previously claimed status as a small entity in the patent in good faith because applicant legitimately believed that it was a small business concern under 37 CFR §1.27(a)(2). Applicant now realizes that its small entity status with respect to this patent was in error. All fees paid therefore should have been paid based on applicant's status as a large entity.

Adjustment date: 11/14/2005 SLUANG1
09/19/2001 BABRAH1 00000001 09893798
01 FC:205 90.00.02 65.00 OP

Adjustment date: 11/14/2005 SLUANG1
07/05/2001 WABRHAH1 00000008 09893798
01 FC:201 40.00.02 -355.00 OP
{00087343.DOC/}

11/14/2005 SLUANG1 00000002 09893798
01 FC:1001 790.00 OP
02 FC:1051 130.00 OP
03 FC:1201 400.00 OP
04 FC:1202 100.00 OP
05 FC:1461 40.00 OP

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Because small entity status was established in good faith, and the fees as a small entity were paid in good faith, excusal of applicant's error will be in order under 37 CFR §1.28(c) upon compliance with the separate submission and itemization requirements of 37 CFR §1.28(c)(1) and (2) and compliance with the deficiency payment requirement of 37 CFR §1.28(c)(2). The submission and itemization requirements of paragraphs (c)(1) and (2) are met by the attached form entitled "Table of Filing Fees Owed." Compliance with the deficiency payment requirement is met through submission of the attached check. As such, excusal of said error is believed to be in order and is respectfully requested.

Respectfully submitted,



David D. Stein
Reg. No. 40,828

Date: NOVEMBER 8, 2005

Enclosure:

Table of Filing Fees Owed
Check
Return postcard

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STEIN & GRATZ S.C.
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250 East Wisconsin Avenue
Milwaukee, WI 53202
Telephone: (414) 225-4232
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Attorney Ref.: 230.010



Table of Filing Fees Owed
Loss of Entitlement to Small Entity Status

Fee Owed Calculations: *Current (12/8/04) regular fee - fee paid with small entity discount = amount owed to USPTO*

Our Ref. No.: 230.010

Patent No. 6,948,157, Issued September 20, 2005

Serial No. 09/893,798, Filed: June 28, 2001

Action	Date Filed	Fee Paid	Lg. Entity Fee	Difference Owed
U.S. Filing Fee	6/28/2001	\$530.00	\$1,060.00	\$530.00
Late Filing of Declaration	9/12/2001	\$ 65.00	\$ 130.00	\$ 65.00
Two Month Extension of Time	1/3/2005	\$225.00	\$ 450.00	\$225.00
Issue Fee	8/3/2005	\$700.00	\$1,400.00	\$700.00
			Total Fees Due	\$1,520.00